



DEPARTMENT OF ENVIRONMENTAL QUALITY

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Implementation date for Pesticides General Permit has been extended

BATON ROUGE - On Jan.9, 2009, a federal court ruled in the case of National Cotton Council of America v. EPA that pesticide applications to or around water required a Louisiana Pollutant Discharge Elimination System permit. Based upon a request from the U.S. Environmental Protection Agency, the court granted a two year stay of the mandate until April 9, 2011. In response to the ruling, the Louisiana Department of Environmental Quality prepared a general permit for pesticide applications to become effective on April 9.

Earlier this month, the EPA requested an extension from the court until Oct. 31 to allow more time for implementation of the ruling. While the court considers the extension request, permits for pesticide applications will not be required in Louisiana. If the court grants EPA's request, new permits for pesticide applications will not be required until Oct. 31.

Since Jan. 26, 2007, an LPDES permit was not required for pesticide applications to surface water. All discharges and usage in Louisiana only needed to be consistent with Federal Insecticide, Fungicide and Rodenticide Act requirements, located on the container and applicable Louisiana Department of Agriculture and Forestry Regulation governing pesticide usage. If necessitated by a court ruling, the Louisiana Department of Environmental Quality will mandate the requirement for an LPDES permit.

Questions may be directed to Melvin C. Mitchell at (225) 219-3197 or Bruce Fielding at (225) 219-3231, DEQ Water Permits Division.

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